1945 .

File No. 5881/36 VII

B CLASS

P.W. DEPARTMENT

E BRANCH II

Subject:— Provincial Labour Supply Committee
Appointment of a Sub Committee
to lay down conditions of Service
for unskilled labour

V

B [K] 1945

File No. 5881/36 . E Br. II

Ltd. Scott. Slip. 24 A.

[G. R., G D., No 2408, dated 22-5-22.]

Correspondence

DOCKET SHEET (B)

Subject :—

File No. 5881/36 VII

P.W. DEPT.

E BRANCH. II

References :—

Our copies from original file B(IN)

Date.	To whom sent.	Notes and instructions.

Conditions of Service for Unskilled Labour-Minimum Standard of- (exeluding wages)-
Appointment of a Sub-Committee to conider and lay down-

PROVINCIAL LABOUR SUPPLY COMMITTEE, BOMBAY

Order No. L.S.C.6(1).

Bombay, the 12th July 1944.

Extract Item 3 from the Agenda for the meeting of the Provincial Labour Supply Committee fixed on 29th June 1944.

" Condition of service of Unskilled labour (e.g. Housing, Grainshops, Sanitation, Medical Relief, Water Supply etc.).

At the preliminary meeting of 11th April 1944, it was decided that the Secretary should collect information ffom Bombay Port Trust, Railways, etc., regarding these conditions. Report from Bombay Port Trust is still awaited. A consolidated statment of information already received is put up on the file."

Extract para 5 from the minutes of the meeting of the Provincial Labour Supply Committee held on 29th June 1944.

" (Item 3): Information regarding conditions of service of unskilled labour, as supplied by the Bombay Port Trust, Railways, etc., was considered and it was found that there was considerable disparity. With a view to coordinate and lay down minimum standards of conditions of service (excluding wages), it was considered that aSub-Committee consisting of the following Officers should be formed:-

Commissioner of Dabour - Chairman.

D.A. D. Labour and Pioneers.

S.E. Central P.W.D.

Deputy Secretary, to Government P.W.D.(R.& B)

Representatives of the G.I.P. & B.B.& C.I.Railways-

(Mr. A - Saldhana, Deputy Chief Engineer 'Maintenance' G.I.P. Railway, Bombay).

Secretary , Provincial Labour Supply Committee.

This Committee shall have power to coopt additional members as and when necessary."

ORDER: In pursuance of the decision arrived at by the Provincia Labour Supply Committee at its meeting held on the 29th June 1944 under the Chairmanship of the Adviser(Home) to H.E. the Governor, thefollowing Committee has been appointed to co-ordinate and lay down minimum stand- Conditions of Service (excluding wages) for Unskilled Labour and

recommend the same for the consideration of the Provincial

Labour Supply Committee-

Commissioner of Labour- Chairman.

D.A. D. Labour and Pioneers.

S.E. Central P.W.D.

Deputy

~~Deputy~~ Secretary, to Government P.W.D.(Roads & Buildings)

Representative of the G.I.P. & B.B. & C.I.Railways-

-(Mr. A. Saldanha, Deputy Chief Engineer, 'Maint-

-enance(G.I.P. Railway, Bombay).

Secretary , Provincial Labour Supply Committee.

2. This Sub-Committee shall have power to coopt additional members as and when necessary.

By order,

Sd/-

Secretary,

Provincial Labbur Supply Committee, Bombay.

(Draft) Minutes of the preliminary meeting of the Sub-Committee appointed in P.L.S.C. Order No. L.S.C.6(1) dated 12-7-44, held in the Secretariat, Bombay on Friday the 21st July 1944 at 12Noon.

---oOo---

Present.

Chairman- S.V. Joshi, Esq., B.A.(Cantab),
Commissioner of Labour, Bombay.

Members- J. R. Phillips, Esq., B.Sc; (Eng.) Lon., I.S.E.,
Deputy Secretary to Government P.W.D.
(Roads and Buildings).

Captain J.R.P. Ottley,
Deputy Assistant Director, Pioneers and Labour
(108 & 110 L of C Areas).

R. W. Wilson, Esq.,
Divisional Engineer, Head Quarters, - (on behalf of Mr. A. Saldanha, Deputy Chief Engineer, 'Maintenance' G.I.P. Railway).

Secretary - Rao Saheb V.V. Muzumdar, B.A.

1. Before commencement of the meeting, the Secretary informed the Chairman of a telephone message received in the morning on behalf of the Superintending Engineer, Western Circle, Central P.W.D. regretting for inability to attend the meeting owing to indisposition and enquiring whether he could deputise his Personal Assistant to attnd this meeting on his behalf. This was replied to in the affirmative.

The Personal Assistant to the Superintending Engineer, however, did not attend.

2. At the outset, the Chairman read out the Provincial Labour Supply Committee's Order appointing the Sub-Committee and the terms of reference therein stated for the information of members. It was pointed that the terms of reference specifically excluded wages, evidently because wages cannot be fixed unless the conditions of service are standardised, as erequired by para 14(a) of the - Annexure to the Government of India, Department of Labour, letter No. L.R. 91 dated 13th January 1944.

In ...

In this connection it was held by the Sub-Committee that in view of the prevailing food situation the physical supply of all basic foodgrains at the site of work by the Employer should be one of the primary conditions to be included in the list.

3. After a detailed discussion over the conditions of service at present prevailing in the B.B.& C.I.& G.I.P. Railways, the Bombay Port Trust , the M.E.S., the Central P.W.D. as well as the Provincial P.W.D., it was decided that the Secretary should be asked to prepare a tentative skeleton list of conditions of service, embodying all the Common conditons obtaining in the above mentioned Departments and organisations. Further, that these draft conditions should be forwarded to all the members of the Sub-Committee within a week for pre-study.

4. It was decided that Mr. E.M. Bilimoria, President, Western India Builders' Association be coopted on this Sub-Committee and that the skeleton list of conditions of service when framed by the Secretary, should be forwarded to him also along with other members of the Sub-Committee.

5. The P.L.S.C. order appointing the Sub-Committee requires minimum standards to be laid down. In the opinion of the Sub.Committee the conditions suggested should be made the standard and not minimum conditions to be observed by all employers, as otherwise there is the danger of employers offering better amenities and conditions enticing away labour from employers observing the minimum standards.

6. In the opinion of the Sub-Committee the conditions should apply only where 100 or more workers are employed per day.

7. The Sub-Committee is of the opinion that the standards of conditions of service were to be made applicable to Contractors' labour and departmental labour casually employed and not to the permanent , or semi-permanent labour of the type employed by the Bombay Port Trust, Railways and the P.W.D.

The orders of the Adviser (Home) on this point are to be obtained

8. It was decided that the next meeting of the Sub-Committee should be held on Friday the 18th August 1944 at 3 P.M. in the office of the Commissioner of Labour, in the Secretariat, Bombay (Ground Floor North).

For the existing para 3 of the draft minutes substitute the following:-

"3. After a detailed discussion over the conditionss of service at present prevailing in the B.B.& C.I. & G.I.P.Railways, the Bombay Port Trust, the M.E.S., the Central P.W.D. as well as the Provincial P.W.D., it was decided that the Secretary should be asked to prepare a tentative skeleton list of conditions of service, on the basis of the conditions laid down by the M.E.S., the Central P.W.D. and the Provincial P.W.D. Further, that these draft conditions should be forwarded to all themembers of the Sub-Committee about a week in advance of the date of the next meeting for pre-study."

22nd July 1944 Sd/-

Secretary,
Provincial Labour Supply Committee,
Id/-
24/7 Bombay.

Extract para 7 from draft minutes of the Provincial Labour Supply Committee meeting held on 27th July 1944:-

"Item 1: The report of the preliminary meeting held on 21-7-44 by the Sub-Committee appointed to lay down minimum standards of conditions of service was then read and discussed.

The opinion of the Sub-Committee (para 5 of the report) that the conditions suggested by them should be made the standard and not minimum conditions to be observed by all employers, was not accepted. The committee decided that the Sub-Committee should lay down minimum standards of conditions of service which all employers must provide for all unskilled labour. Any conditions more liberal than this minimum standard should not be prevented or discouraged but if allowed by any employer they should be reported to the Regional Committee concerned or the Provincial Labour Supply Committee, so that they could be taken into consideration while fixing wages. Further, the grading of labour into categories and fixing a minimum standard for each would cover all kinds of unskilled labour, whether employed by Contractors or Departmentally by the Provincial P.W.D., the Central P.W.D., the Railways or the B.P.T. etc. "

No. L.S.C. 6 (1)
Office of the Secretary, Provincial Labour Supply Committee, First Floor, (North Wing), Secretariat, Bombay.
10th August 1944.

Forwarded with compliments to the

Commissioner of Labour and Chairman of the Sub-Committee,

D.A.D., Labour and Pioneers,

Superintending Engineer, Western Circle, Central P.W.D.

Deputy Secretary to the Government of Bombay, P.W.D., (Roads and Buildings),

A. Saldanha, Esq., Deputy Chief Engineer ' Maintenance G.I.P. Railway, Bombay.

A. S. Asayekar, Esq., Assistant Labour Welfare Officer Government of India,

for information and guidance.

Sd/-
Secretary,
Provincial Labour Supply Committee, Bombay.

GOVERNMENT OF INDIA

CENTRAL PUBLIC WORKS DEPARTMENT.

From

P. J. Hanly, Esqr., I.S.E.,

Superintending Engineer,

Western Circle, C.P. P.W.D., Bombay.

To

The Commissioner of Labour and

Chairman of the Sub- Committee,

Bombay.

No. .G.45/8326 Bombay , dated the 24 August 1944.

At the meeting of the Sub Committee on the 18th August, I was under a misapprehension when I stated the Government of India had laid down conditions for employment of medical personnel and supply of drugs etc. for local labour employed through contractors. I have now found that the instructions received by me came from my Cheif Engineer and not Government of India.

The procedure adopted by this Circle with regard to medical arrangements is as under:-

For Labour over 1000.

1 full time Doctor (pay being fixed in consultation with the local C.S.)

1 Compounder or dresser

Medecines as laid down by the Director General, I.M.S., Government of India- a list received through Chief Engineer, C.P.W.D., vide his No. AV/1158, dated the 15th July 1942.(copy enclosed).

On isolated work temporary quarters are provided for the medical personnel.

1 Building to house dispensary.

N.B. In case of epidemics the necessary vaccines, are purchased by this Department and the necessary inoculations to labour are carried out with the assistants and under the direction of the Public Health Department.

For Labour Under 1000.

1 part time Doctor (appointed through Asstt. Surgeon)

Necessary medicines supplied by this Department on advice of Civil Surgeon.

One building placed at the disposal of Doctor to act as dispensary.

2. In my opinion the scale of medical personnel, drugs etc. should be laid down by the Public Health Department and therefore I suggest that the recommendations of the Sub Committee should be as under:-

" The principal employer shall be responsible for the supply of medical personnel, equipment and all drugs. The scale of medical personnel equipment and drugs shall be laid down by the Public Health Department of the Local Government".

Sd. P.J. Hanly.
Superintending Engineer,
Western Circle .

Copy forwarded to Deputy Secretary to Government of Bombay. in the P.W.D.,

Id/-
24/8

Minutes of the meeting of the Sub-Committee (appointed in P.L.S.C. Order No. L.S.C. 6 (i) dated 12th July 1944) held in the Secretariat, Bombay on Friday the 18th August 1944 at 3 P.M. to discuss the accompanying agenda.

Present.

Chairman - S.V. Joshi, Esq., B.A. (Cantab).,
Commissioner of Labour , Bombay.

Members -P.J. Hanly, Esq., I.S.E., Superintending Engineer, Western Circle, Central P.W.D.

J.R. Phillips, Esq., B.Sc. (Eng.) Lon., I.S.E., Deputy Secretary to Government, P.W.D., (Roads and Buildings).

Captain J.R.P. Ottley, Deputy Assistant Director, Pioneers and Labour (108 & 110 L. of C Areas)

R.W.Wilson, Esq., Divisional Engineer, H.Q. (on behalf of Mr. A. Saldanha, Deputy Chief Engineer, 'Maintenance ' G.I.P. Railway).

A.S. Asayekar, Esq., Assistant Labour Welfare Officer, (Government of India)

* Rao Saheb J.V. Muzumdar, B.A., Secretary, P.L.S.C.

1. Mr. F.M. Bilimoria, President of the Western India Builders' Association, who was requested to attend as a coppted member of the Sub-Committee as decision decided in the last meeting had intimated his acceptance of the nomination but regretted his inability to attend as the date of this meeting coincided with the third Friday of the month which is allocated to the monthly meeting of his Association and requested that future meetings of the Sub-Committee be arranged on some date other than the third Friday of the month to enable him to attend.

2. Item 1.

The minutes of the last meeting of the Sub-Committee held on 21-7-44, as amended in respect of para 3 thereof, were read and confirmed.

3. Item 2.

The Chairman informed the members of the appointment of Mr. A.S. Asayekar, Assistant Labour ~~Welfare~~ Welfare Adviser, (Government of India) as a coopted member of the Sub-Committee.

4. Item 3.

Extract para 7 from the draft minutes of the Provincial Labour Supply Committee meeting held on 27th July 1944, was then read and in accordance with the decision therein conveyed, it was decided to draw up minimum standards of conditions of service which all employers must provide for all unskilled labour as therein required, but the Sub-Committee still considered that in practical working the following difficulties are bound to be faced:-

(a) Each and every contract for execution of works will have to be carefully examined to make sure that the contractor does not give indirectly any extra advantages; also, as the conditions of service may vary from contract to contract, it will be necessary ~~probably~~ probably to examine a large number of contracts from time to time in order to fix the wages to be paid in respect of such contracts.

(b) The Railways and the B.P.T. already provide certain of these concessions on a liberal scale and the task of reducing the wage-

rate of curtailing these amenities is likely to create difficulties in so far as the regular permanent/or semi-permanent unskilled labour of these administrations, for example, is concerned.

The minimum condtions recommended by this Sub-Committee are intended to be made applicable to all unskilled labour, It is, however, presumed that any difference in categories which may be necessary, will be adjusted by the Provincial Labour Supply Committee by fixing the wage rates accordingly.

It was decided that these views should be embodied in the report of the Sub-Committee for the information of the Provincial Labour Supply Committee.

5. Item 4.

The tentative skeleton list of minimum conditions of service prepared by the Secretary, Provincial Labour Supply Committee was then discussed item by item, and approved subject to certain additions and alterations, with the exception of condition No. 14 regarding " Health (Medical arrangements for)". It was decided to leave this item to the Chairman to be decided in consultation with the Superintending Engineer, Western Circle, Central P.W.D., on the general basis of the arrangements in force in the Central P.W.D.

The remaining conditions of service are shown in the list attached to these minutes.

6. Item 6.

No. fuether meeting of the Sub-Committee was considered necessary.

Sd/-
Secretary,
Provincial Labour Supply Committee, Bombay.

Sd/-
Commissioner of Labour
and Chairman,
Sub- Committee.

Bombay
28th August, 1944.

rate of curtailing these amenities is likely to create difficulties in so far as the regular permanent/or semi-permanent unskilled labour of these administrations, for example, is concerned.

The minimum condtions recommended by this Sub-Committee are intended to be made applicable to all unskilled labour; It is, however, presumed that any difference in categories which may be necessary, will be adjusted by the Provincial Labour Supply Committee by fixing the wage rates accordingly.

It was decided that these views should be embodied in the report of the Sub-Committee for the information of the Provincial Labour Supply Committee.

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The tentative skeleton list of minimum conditions of service prepared by the Secretary, Provincial Labour Supply Committee was then discussed item by item, and approved subject to certain additions and alterations, with the exception of condition No. 14 regarding " Health (Medical arrangements for)". It was decided to leave this item to the Chairman to be decided in consultation with the Superintending Engineer, Western Circle, Central P.W.D., on the general basis of the arrangements in force in the Central P.W.D.

The remaining conditions of service are shown in the list attached to these minutes.

6. Item 6.

No. further meeting of the Sub-Committee was considered necessary.

Sd/-
Secretary,
Provincial Labour Supply
Committee, Bombay.

Sd/-
Commissioner of Labour
and Chairman,
Sub- Committee.

Bombay
28th August, 1944.

APPENDIX

Showing minimum Standards of Conditions of Service for Employment of Unskilled Labour.

-.-.-.-.-.-.-.

1. Food & necessaries of life. In view of the prevailing food situation proper arrangements shall be made by all immediate employers of unskilled labour, for the supply of all basic food grains and other ~~xxxxxxx~~ necessaries of life.(e.g. Sugar, Salt, Oils, fuel and Kerosene etc.) at the site of work or other convenient location, at the controlled rates and according to the ration units laid down.

2. Water: The employer shall provide an adequate supply of water for the use of labourers. The provision shall not be less than-

3 gallons of pure and wholesome water for drinking purposes, per head per day

and

3 gallons of clean water for bathing and washing purposes, per ~~xxx~~ head per day.

Where a piped water supply is available, supply shall be at stand posts and where the supply is from wells or rivers, tanks are to be provided. These tanks should be of suitable metal or masonry with teps.

3. Hutting Accommodation) The employer shall ~~xx~~ build a sufficient number of huts on a suitable plot of land for the use of the labourers according to the following specifications:-

(1) Kacha huts of locally available material ~~xx~~ shall be ~~xxxxxx~~ constructed.

(2) A godd site shall be selected. High ground, removed from jungle but well provided with trees shall be chosen wherever it is available. The neighbourhood of rank jungle, grass or weeds should be particularly avoided, Camps should not be established close to large cuttings or earth work.

(3) The lines of huts shall have ~~xxxx~~ open spaces of atleast 10 yards between rows. When a good natural site cannot be procured, particular attention should be given to the drainage.

(4) There should be no overcrowding. Floor space at the

rate of 25 Sq. ft. per head shall be provided. Care should be taken to see that the huts are kept clean and in good order.

(5) The Employer must find his own land and if he wants Govern-ment land, he should apply for it and pay assessment for it.

In case of works to be carried out in the monsoon, the huts should be provided with suitable roofing such as Zavli leaves or grass thatching.

4. Latrines and Urinals. The employer shall construct trench or semi permanent latrines for the use of labourers on the scale of not less than 4 % of the total strength, separate latrines being provided for men and women. Urinals too, should be provided at the same scale (viz.4 % of total strength), separate provision being made for women. Soak pits should be provided. In addition, odd latrine seats should be provided for men and women at convenient places on the sites of work.

5. Sweepers. The employer shall provide one Sweeper for every 200 persons for the 'pan' system and one sweeper for every 400 persons for the 'trench' system, plus one Jemadar for each party of 20 sweepers or part thereof.

6. Disposal of Excreta: The Employer shall arrange for the disposal of excreta from latrines, by trenching or incineration accordingly to the requirements laid down by the Health or Sanitary Officers.

7. Washing or Bathing places: The employer shall construct a sufficient number of bathing and washing places for women only, every unit of 25 women being provided with a separate bathing and washing place which should be suitable screened.

Washing places and bathing places for men should also be provided. Every unit of 50 men shall have at least one washing and bathing place.

8. Drainage: The Employer shall make efficient arrangements for drainage away sullage water as well as water from bathing and washing places and shall dispose of this waste water in such a way as not to cause a nuisance.

9. Weekly Off-day: No work shall be done on one day every week without the sanction in writing of the Engineer-in-charge.

10. ...

10. Employment of Female Labour: Employment of female labour on works in the neighbourhood of Soldiers' barracks should be avoided.

11. Workmen's Compensation Act: The Employer shall be repsonsible for, and shall pay compensation for, workmen payable under the Workmen's Compensation Act, 1923 (VI of 1923) for injuries to the workmen.

12. Age:- No Employer shall employ any person who is under 12 years of age.

13. Daily payments: Every Employer shall be required to pay his labour daily in case of emergency, as may be decided by the Engineer-incharge.

14. Health (Medical Arrangements for): The principal employer shall be responsible for the supply of medical personnel, equipment and drugs shall be laid down by the Public Health Department of the Local Government.

Note 1: The word " Employed" occurring in each of the conditions- except the last one regarding "Health etc." should betaken to mean the immediate Employer, as specifically mentioned ii condition No.1. In the case of condition 14 (" Health etc.") it has been decidd that the words " Principal Employer" should be used.

Note 2: The reference to labouers or persons or men or women in conditions 1,2,3,4,5,& 7 supra, includes members of their families. As regards condition 14 , the arrangements to be made should also apply to the families of the labourers.

No. L.S.C.6 (i)
Office of the Secretary, Provincial
Labour Supply Committee, First Floor,
(North Wing), Secretariat, Bombay.
26th August 1944.

From

S.V. Joshi, Esq., B.A. (Cantab).

Commissioner of Labour and Chairman, of the

Sub- Committee appointed in Provincial Labour

Supply Committee Order No. L.S.C.6(i) dated 12th July 1944.

To

The Chairman,

The Provincial Labour Supply Committee, Bombay.

Subject:- Minimum standards of conditions of service

for employment of unskilled labour.

Sir,

I have the honour to refer to the Provincial Labour Supply Committee Order No.L.S.C. 6 (i), dated 12th July 1944 and to state that the Sub-Committee appointed thereunder, met on the 21st July 1944 and while going through the terms of reference it was noted that they specifically excluded wages, evidently because wages cannot be fixed unless the conditions of service are standardised as required by para 14(a) (v) of the Annexure to the Government of India, Department of Labour, letter No.L. R. 91, dated 13th January 1944.

2. It was also noted that the Provincial Labour Supply Committee required the Sub-Committee to lay down minimum standards of conditions of service, and in this connection the Sub-Committee opined that the conditions to be suggested should be the standard and not minimum conditions to be observed by all employees, as otherwise there would be a danger of Employers offering better amenities and conditions enticing away labour from employers observing the minimum standards. The Sub Committee also assumed that the standards of conditions of service to be proposed should be applied only where 100 or more labour would be employed, and further, that the standards were to be made applicable to Contractors' labour and departmental labour casually employed and not to the permanent or semi-permanent labour of the type employed by the Bombay Port Trust, Railways and the Public Works Department.

3. ....

to the points referred to above, the Provincial Supply Committee decided as under:-

" The Sub-Committee should lay down minimum standards of condtitions of service which all employers must provide for all unskilled labour, Any conditions more liberal than this minimum standard should not be prevented or discouraged but if allowed by any employer they should be reported to the Regional Committee concerned or the Provincial Labour Supply Committee, so that they could be taken into consideration while fixing wages. Further, the grading of labour into categories and fixing a minimum standard for each would cover all kinds of unskilled labour, whether employed by contractors or Departmentally by the Provincial P.W.D., the Central P.W.D., the Railways or the B.P.T. etc." . . .

4. The Sub-Committee met again on 18th August 1944 and in that meeting the above quoted decision of the Provincial Labour Supply Committee was noted and it was decided to draw up minimum standards of conditions of service which all employers must provide for all unskilled labour, as required by the Provincial Labour supply Committee. But the Sub-Committee still considered that in practical working the following difficulties are bound to arise:-

(a) Each and every contract for execution of works will have to be carefully examined to make sure that the contractor does not give indirectly any extra advantages; also, as the conditions of service may vary from contract to contract, it will be necessary probably, to examine a large number of contracts from time to time in order to fix the wages to be paid in respect of such contractors.

(b) The Railways and the Bombay Port Trust already provide certain of these concessions on a liberal scale and the task of reducing the wage-rate or curtailing these amenities is likely to create difficulties in so far as the regular permanent or semi-permanent unskilled labour of these administrations, for example is concerned.

The.....

The minimum condtions recommended by this Sub-Committeesa are intended to be made applicable to all Unskilled Labour.

It is , however, presumed that any difference in categories which may be necessary, will be adjusted by the Provincial Labour Supply Committee by fixing wage rates accordingly.

5. The minimum standards of conditions of service were accordingly drawn up and they are herewith submitted as a separate Appendix for the consideration and approval of the Provincial Labour Supply Committee with a recommendation that they should be made applicable only where 100 or more workers are employed at, or in the vicinity of, one place.

Condition 14 of the Appendix regarding "Health(Medical arrange--ments for)" has, in accordance with para 5 of the minutes of the Sub--Committee's meeting of the 18th August 1944, been drawn up by the Chairman, in consultation with the Superintending Engineer, Western Circle, Central P.W.D. It is considered that the details in this connection should be left to the Public Health Department.

It will also be seen that no canditions regarding hours of work have been proposed, as this matter would for presumably be covered by definition of a 'working day(to be decided on when fixing the wage rates.

6. A copy of the minutes of each of the two meetings of the Sub-Committee is also enclosed for information.

Yours faithfully,

Sd/-

Chairman,

Sub-Committee of the Provincial

Labour Supply Committee, Bombay.

Enclosures:-

1Appendix.

2.Minutes.

(Draft) Minutes of the ~~Second~~ Third Meeting of the Provincial Labour Supply Committee held in the Secretariat, Bombay on Thursday the 31st August 1944 at 12 Noon.

-.-.-.-.-.-

President.

Chairman - Sir Charles Bristow, C.I.E., I.C.S.,
Adviser (Home) to H.E. the Governor.

Members - S.V. Johai, Esq., B.A. (Cantab)
Commissioner of Labour.

W.H.E. Garrod, Esq., I.S.E.,
Chief Engineer and Secretary to Govt., P.W.D.

D.R. Pradhan, Esq., I.C.S.,
Chairman, National Service Labour Tribunal, Bombay.

Col. K.A. Gosnell, A.Q.M.G., 110 L.of C. Area.

Col; A.E. Armitage, Deputy Chief Engineer, 108 L. of C. Area.

Lt. Col. P.S. Whitehead, A.Q.M.G., 167 L. of C. Sub-Area.

Lt. Col. G.C. Marsh, A.Q.M.G., 108 L.of C. Area

Major A.F. Scott, Deputy Recruiting Officer, Poona.

P.J. Hanly, Esq., I.S.E., Superintending Engineer, Western Circle, Central P.W.D.

A. Saldanha, Esq., Deputy Chief Engineer' Maintenance' G.I.P. Railway.

E. M. Bilimoria, Esq., President Western India Builders' Association.

S.C. Joshi, Esq., M.A.LL.B., M.L.C.(Bom)., Representative of Bombay Provincial Trade Union Congress.

Secretary :- Rao Saheb J.V. Muzumdar, B.A.

The following were also in attendance

A.S. Asayekar, Esq., Assistant Labour Welfare Adviser, (Government of India.)

Captain J.H.P. Ottley.

Major W.L. Blount, D.A.D., P.& L.108 & 110 L.of C.Areas.

Lt. Col. ...

Lt. Col. F.C. Booty, A.A. & Q.M.G., 166 L.of C. Sub-Area, member of this Committee, did not attend the meeting. Miss Maniben Kara, who has also been appointed as a member representing the Provincial Committee of the Indian Federation of Labour, is out of India and has not yet returned. The Chairman welcomed Mr. S.C. Joshi to the Committee.

2. (Agenda Item 1).

The minutes of the last meeting held on 27th July ~~xxxx~~ 1944, were confirmed subject to the following amendment which was accepted:-

For the workd " ~~xxjxxx~~ rejected" in the first line of the Sub-para of para 4 of the minutes, substitutes " retired".

3. (Agenda Item 2).

Letter from H.Q. 110 L.of C. Area, No. 2976QPL, dated 14th August 1944 stating that Col. K.A. Gosnell has replaced Major Barnes as a member representing that Area on the Provincial Labour Supply Committee and requesting that Captain J.R.P. Ottley, D.A.D., Pioneers and Labour 108 and 110 L. of C. Areas, be appointed a member of the Co mmitted.

Col. Gosnell explained that Major W.L;M. Blount, D.A.D., Pioneers and Labour , should be appointed as a member of the Provincial Labour Supply Committee instead of Capt in Ottley. This was approved.

4. (Agenda Item 3.)

The report submitted by the Chairman of the Sub-Committee appointed for laying down minimum standards of conditions of service (excluding wage rates) for unskilled labour was read and the conditions recommen--ded in the appendix to the report, were discussed seriatim and accepted with certain minor alterations. A copy of the Conditions as ~~xx~~ approved is attached.

The Committee expressed satisfaction at the thoroughtness with which the Sub-Committee conducted its work.

5. (Agenda Item 4).

Letter from Under Secretary to the Governor of India, Department of Supply (Munitions Peoduction Branch) No.S.A.(3)II/463, dated 25th July 1944-

(a) pointing out acute shortage of labour and tendency of local establishments to entice away labour by offering higher rates of wages than those prevailing at the Ordnance Factories in the Poona-Kirkee Area and accordingly, pressing for enforce-

enforcement of authorised standard rates of wages.

and

(b) requisitioning for 400 labourers in the Ordnance Factories.

The position is that the Regional Committees will propose standard rates on the basis of the minimum conditions approved under item 3 and the rates will then be fixed by the Provincial Labour Supply Committee and reported to the Government of India.

6. (Agenda Item 5.)

Letter from H.Q.110 L. of C. Areas No.2669 QPL /1, dated 18th July 1944 to H.Q. Southern Army:-

" It has been suggested to this H.Q. that in order that rates of pay for unskilled labor may be stabilized, a clause be inserted in all military contracts including those of M.E.S., to the effect that the conteactors agree to a mixiмum and minimum rate being paid, the maximum being that laid down by the appropriate Regional Labour Committee., the minimum being fixed by the service concerned.

2. Will you please comment before the proposal is placed before the Provincial Labour Committee."

Reply No. 62662 PLQ, dated 10th August 1944 from H.Q. Southern Army:-

"Sub: Unskilled Labour Supply- Rates of pay.
Ref: Your No. 2669/Q-QL/1, dated 17th July 1944.

The suggestion made in your above quoted No. is not agreed to for the following reasons:-

(a) M.E.S. Contract Documents issue as G.H.Q. authority. An amendment to contracts of the nature proposed could not be made without reference to G.H.Q.(I).

(b)Nearly all M.E.S. Contracts are by open tender. This should authomatically adjust labour rates to economical limits.

(c) Any attempt to control what M.E.S.Contractors pay their labour would certainly be resisted by them and would have an adverse effect on the progress on works. Such action has the additional and serious demerit of being quite impracti-cable to enforce."

Regarding the stabilizing of wage rates, it was observed that the standard rates could apply to daily and monthly wage-workers and not to piece workers.

In the...

In the course of further discussion, it was generally conceded that para (c) of the letter from the H.Q.S.A. needed clarification and Col. Gomsell promised to take up the question with the H.Q. Southern Army for elucidation and to report the result to the Provincial Labour Supply Committee.

In the meanwhile , the Committee decided that the Sub-Committee already appointed for laying down the minimum standards of conditions of service for unskilled labour should be requested to take up the question of how the standardized rates could be enforced as there appeared to be a risk of their being circumvented by the employment of workers on piece-rates.

7. (Agenda Item6.)

Mr. A.N.Nair, Statistician to the Government of India, Department of Labour, who recently passed through Bombay in connection with his tour programme of visits to Labour Supply Depots and Provincial Labour Supply Committees, visited the office of the Secretary, ~~Bombay~~ Provincial Labour Supply Committee, Bombay, on 9th August 1944 . Mr. Nair mentioned that there was some difficulty experienced by other Provincial Labour Supply Committees in knowing all the military works, sites and the authorities controlling and managing them, with the result that the statistical information in Form A could not be called for from all of them. He accordingly suggested that a reference be made to the Area H.Q. for reporting these sites and the designations of the Officers in charge thereof.

The suggestion of the Statistician was accepted , as the military members considered that there would be no objection to ~~objection to~~ furnish the information provided the wording was carefully chosen so as not to infringe occurity regulations.

8. (Agenda Item 7.)

Extract from proceedings of the meeting of the Regional Labour Supply Committee, Kalyan held on 26-7-44.

" The Committee thought that the wages paid to sweepers at the Ordnance Factory are low as compared with the wages paid by other employers and that if they pay a total wage of about Rs. 30/- to Rs.35/- p.m. (which is the average rate) they are likely to get more sweepers. It was noted that Messrs. Wimco of Ambernath pay a very high wage

wage of about Rs.2/-per day to their sweepers as against Rs. 1/- of the Kirkee Ordnance Factory."

The Committee decided to ask the Regional Labour Supply Committee, Kalyan to ascertain from Messrs. Wimco the reasons justifying the payment of such a high wage rate for their sweepers and to furnish the Provincial Labour Supply Committee with the views and suggestions of the Regional Labour Supply Committee on the explanation of the Company.

9. The Chairman explained that though the logical order was to take item 13(viz. the decision as to whether a depot should be opened) before item 8(viz. the report on details of the depot), it was better to take item 8 first in order to that the Committee should know what was involved in the setting up of a depot.

(Agenda Item 8).

Consideration of the Report of the Sub-Committee appointed for going into the question of setting up a Labour Supply Dept near Thana.

The Report submitted by the Sub-Committee was generally accepted subject to the remarks below:-

(a) Instead of taking a pipe line from the Tansa Mains, water should be taken from the existing wells on the Estate, the labourers drawing their own water.

(b) The scales approved by the Committee for floor space, water, and sanitary arrangements (Lastrines, Urinals and sweeper) in the minimum standards of conditions of service in para 4 above, should be adopted.

(c) Suitable men from among the recruits should be utilised in the mess posts on the staff with some extra remuneration if nefessary.

Regarding staff, Col. Gosnell mentioned that he is obtaining information from one of the existing Depots in other Province and would make enquiries whether a retired V.C.O. etc. could be secured for the post of Group Commander. In the meanwhile , it was decided that the post of Groupt Commander should also be advertised in the local papers.

It was....

It was also decided that the Collector of Thana should be requested to ascertain from the Trustees of the Wagle Estate whether they are agreeable to the Estate being used for the proposed Labour Supply Depot.

10. (Agenda Item 9.)

The suggestion made by the Officer-in-Charge Labour Supply Depot Gorakhpur, that a representative of the Committee may be sent to see the acutal working of the Depot, was decided to be taken up after the appointment of the Group Commandar was made.

11. (Agenda Item 10)

Recruiting Officer, Poona's letter No. A 1051, dated 20th July 1944 (copy attahhed) proposing arrangement for taking over Army 'rejects' by labour pool representatives, for employment as unskilled labour.

(Agenda Item 11).

Letter No. 38512Q, dated 17-8-44 from A.A. & Q.M. G. 167 L. of C. Area on the same subject as of item 10 supra.

No definite figures were available from the Recruiting Officer, Poona, regarding Army 'rejects' taken over by Labour Pool representatives under the new arrangement since 17-8-1944.

Col. Gosnell explained that the Scheme cannot be considered as a failure on the information so far available and added tha it does not seem to have been properly tackled. He opined that if it is properly worked, it would be possible to get a larger number of recruits. He promised to look into this question and report to the Provincial Labour Supply Committee a workable arrangement till the Labour Supply Depot is set up.

12. (Agenda Item 12).

Letter from Assistant Refugee Officer, (Govt. of India), Western Zone, Bombay No. 192/RII(44) , dated 15th August 1944, enquiring whether any employment could be found for the refugees calling daily at his office as unskilled labour.

This was noted by the Committee and would be covered under the arrangement mentioned in item 11 supra.

13. (Agenda Item 13).

List of demands for unskilled labour so far received by the Provincial Labour Supply Committee has been prepared and put up,

together with the following:-

(i) A statement showing the number of recruits taken and still required for the Civil Pioneer Force from Army 'rejects'.

(ii) D.O. Letter No. L-MP 18/124, dated 5th August 1944 from the Secretary to the Government of India, Department of Labour, suggesting the raising of Provincial Labour Units Home Service especially from Army 'rejects'.

(iii) reply to above by the Adviser (Home) to H.E. the Governor of Bombay, dated 11th August 1944.

(iv) Statement from the Recruiting Officer, Poona, showing number of 'rejects' by Sub areas in the last 6 months.

(v) The Assistant Refugee Officer reports that some 15 to 20 refugees call at his office daily for employment as unskilled labour.

(vi) Consolidated statement vide Item No. 16 below.

The Chariman stated that the Government of India had stated that the Government had laid down as the order of priority for the utilisation of army rejects as (1) Civil Pioneer Force (2) raising of Provincial Labour Supply Depot should be set up if possible at the Refugee Camp near Thana with the necessary provision for training men for the Provincial Labour Units Home Service. Should there be any surplus after these requirements are met and those of the Civil Pioneer Force, it could be used to supply labour for essential services.

In this connection, the Committee wished Major H.F.G. Webber Commandent, First Unit, B.C.P.F., Dehu Road, to be requested to inform the Provincial Labour Supply Committee of the nature of military training given to the recruits taken up for the B.C.P.F. On receipt of this information, a simple course of such trainging would be evolved for the recruits to be taken in the new Depot. This will of course be subject to any instructions which may be received from the Government of Indian in connection with the Provincial Labour Units Home Service.

14. (Agenda Item 14).

Government of India, Department of Labour, letter No L-MP 1/267, dated July 1944, regarding procedure to be followed by Employ-er Services for indenting on a Labour Supply Depot for unskilled labour

This....

This was read.

15. (Agenda Item 15.)

Letter from the Government of India, Department of Labour, No. L-HP 18/30, dated 11th July 1944, requesting to be supplied with views regarding any improvement in the working of the Unskilled Labour Supply Problems.

This letter will be taken up again on receipt of the replies from the Depots of other Provinces regarding their experience and the Reports of the Regional Labour Supply Committee furnishing their suggestions and opinions, on the points raised in the letter.

16. (Agenda Item 16).

The consolidated statement of statistics received in Form A, was considered under Agenda Item 13 supra.

17. (Agenda Item 17).

Review No. IV issued by the Government of India, Department of Labour, showing the Unskilled Labour Supply Position in the various Provinces for June 1944.

This was taken as read.

18. (Agenda Item 18).

It was decided to hold the next meeting of the Provincial Labour Supply Committee on Thursday the 28th September 1944 at 12 Noon in the Secretariat, Bombay.

19. Col. Gosnell suggested that the Committee might learn something from the experience of contractors who had spent their whole lives on the problem of raising labour. Mr. Bilimoria said that contractors collected men and employed them on one kind of work whenever it was required, and did not collect large number and use them indiscrimina-tely on whatever work was required at one place. All work required some skill and by this method each man did the work to which he was accustomed. There was no risk of competitive rates because there was a Contractors' Association. Col. Armitage said that the best method for employing services was to make separate contracts for each parti-cular kind of work and not to make large scale contracts covering multifarious tasks.

20.....

20. Col, Gosnell also raised the question of introducing savings into the payment of wages. It was considered that as there was no means of enforcing this, that it had not been enforced ih large scale industr and that labourers could not find the money unless prices of commodities were first effectivaly controlled, this was not at present feasible.

Sd/-

Secretary,

Provincial Labour Supply Committee,

Bombay.

Bombay,

5th September 1944.

Minimum Standards of Conditions of Service for employment of Unskilled Labour.

1. Food & necessaries of life. In view of the prevailing food situation proper arrangements shall be made by all immediate employers unskilled labour, for the supply of all basic food grains and other necessaries of life (e.g. Sugar, Salt, Oils, fuel and Kerosene etc.) at the site of work or in other convenient location, at the controlled rates and according to the ration units laid down.

2. Water: The employer shall provide an adequate supply of water for the use of labourers . The provision shall not be less than.

2. gallons of pure and wholesome water for drinking purposes, per head per day

and

3 gallons of clean water for bathing and washing purposes, per head per day.

Where a piped water supply is available, supply shall be at stand posts and where the supply is from wells or rivers, tanks are to be provided. These tanks should be of suitable metal or masonry.

3. Hutting Accommodation.) The employer shall build a sufficient number of huts on a suitable plot of land for the use of the labourers according to the following specifications:-

(1) Kacha huts of locally available material shall be constructed.

(2) A good site shall be selected. High ground, removed from jungle but well provided with trees shall be chosen wherever it is available. The neighbourhood of rank jungle, grass or weeds should be particualrly avoided, Camps should not be established close to large cuttings or earth work.

(3) The lines of huts shall have open spaces of atleast 10 yards infront of each row when a good natural site cannot be procured, particular attention should be given to the drainage.

(4) There should be no overcrowding. Floor space at the rate of 25 Sq. per head shall be provided. Care should

be taken to see that the huts are kept clean and in good order.

(5) The employer must find his own land and if he wants Government land, he should apply for it and pay assessment for it.

In case of works to be carried out in the monsoon, the huts should be provided with suitable roofing such as Zavli leaves or grass thatching.

4. Latrines and Urinals : The employer shall construct trench or semi permanent latrines for the use of labourers on the scale of not less than 4% of the total strength, separate latrines being provided for men and women. Urinals too, should be provided at the same scale (viz. 4 % of total strenghh), separate provision being made for women. Soak pits should be provided. In addition, odd latrine seats should be provided for men and women at convenient places on the sites of work.

5 Sweepers: The employer shall provide one sweeper for every 200 persons for the 'pan' system and one sweeper for every 400 persons for the' trench' system, plus one Jemadar for each party of 20 sweepers or part thereof.

6. Disposal of Excreta: The Employer shall arrange for the disposal of excreta from latrines, by trenching or incineration according to the requirements laid down by the Health or Sanitary Officers.

7. Washing or Bathing places: The employer shall construct a suffi-cient number of bathing and washing places for women only, every unit of 25 women being provided with a separate bathing and washing place which should be suitably screened.

Washing places and bathing places for men should also be provided. Every, unit of 50 men shall have atleast one washing and bathing place.

8. Drainage. The Employer shall make efficient arrangements for draining away sullage water as well as water from bathing and washing places and shall dispose of this waste water in such a way as not to cause a nuisance.

9. Weekly Off-day: ~~The Employer shall make sufficient arrangements for~~ No work shall be done on oneday every week without the sanction in writing of the Engineer-in-Charge.

10....

10. Employment of Female Labour: Employment of female labour on works in the neighbourhood of Soldiers' barracks should be avoided.

11. Workmen's Compensation Act: The Employer shall be responsible for, and shall pay compensation for, workmen payable under the Workmen's Compensation Act, 1923(VII of 1923) for injuries to the workmen.

12. Age: No Employer shall employ any person who is under 12 years of age.

13. Daily payments: Every Employer shall be required to pay his labour daily in case of emergency, as may be decided by the Engineer-in-Charge.

14. Health (Medical Arrangements for). The principal employer shall be responsible for the supply of medical personnel, equipment and drugs. The scale of medical personnel equipment and drugs shall be laid down by the Public Health Department of the Local Government.

Note 1. The word " Employer" occurring in each of the conditi--ons- except the last one regarding "Health etc." should be taken to mean the immeidate Employer, as specifically mentioned in conditionm No. 1. In the case of condition 14 ("Health etc.") it has been decided that the words " Principal Employer" should be used.

Note 2. The reference to labourers or persons or men or women in conditions 1,2,3,4,5 & 7 supra,includes member of their families . As regards condition 14, the arrangements to be made should also apply to the families of the labourers.

-.-.-.-.-.-.-.-.-

Note

Please see para 6 of the draft minutes of the P,L.S.C. meeting of 31-8-44.

While discussing the question of stabilizing the wage rates, it was observed that the standard rates could apply to daily and monthly wage workers and not to piece workers. So , the P.L.S.C. decided to request this Sub-Committee to consider and advise how the standardized rates could be enforced without the risk of their being circumvented by the employment of workers on piece-rates.

2. In this connection, reference is invited to the following:-

(a) Letter No. 29/1435, dated 20-7-44 from the Chief Conservator of Forests and a copy of the clauses to be inserted in agreements in case of coupes sold in the Thana Forest Divisions.

(b) Extracts from the note compiled by Mr. Jack, Labour Adviser regarding Fair wage clause in Govt. contracts.

3. Regarding (a): The clauses which the Forest Department inserts in the contract agreements, have the effect of enforcing the payment of standardized rates to the individual workers especially as any non-observance of these clauses is treated as a breach of the agreement. The procedure laid down in clauses (u), (v),(w),(x),(y), & (z) is a sort of safe-guard against any attempts on the part of the contractors to cheat the workers out of their dues.

Regarding (b):- This memo too contains some suggestions in regard to P.W.D. and Central P.W.D. Contracts.

4. Perhaps some of the following suggestions may be considered by way of safe-guard, in addition to such others as may come to be decided by the Sub-Committee.

(a) Payments to labour shall always be made in the presence of the S.D.O. of some representative of the Engineer in charge.

(b) Penalty shall be provided in contracts for failure to the full wage etc. as in the case of the Forest coupe agreements.

(c)...

Office of the Secy, P.L.S.C.

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(c) The piece-rate system is generally followed ~~xx~~ for ~~xxxx~~ small jobs in a big contract. Such jobs are fixed according to common practice. The piece-rate system should always be limited to such commonly accepted jobs and no new types of jobs should be allowed to be given away on piece-rates (this can also be further restricted to the past practice followed by each contractor, which could be easily verified from his account books. The onus of proof should always lie with the contractors.)

(d) Payment should always be made to individual wage-workers sirect and not through the Mukadam or gang leader.

(e) In case of disputes about short payments etc. the appeal should lie to the Engineer in Charge.

(f) When payment is made for piece-work, the rates to be paid for such work are so fixed as to give the labourer the minimum daily wage fixed.

(g) All piece-work contracts, should be subject to the prioer approval of the Engineer in Charge, who should satisfy himself that condition (f) is not ignored.